

RECEIVED
CENTRAL FAX CENTER

SEP 02 2004

BEST AVAILABLE COPY

OFFICIAL

CARDINAL LAW GROUP

1603 Orrington Avenue/Suite 2000
Evanston, Illinois 60201
Telephone 847 - 905 - 7111
Facsimile 847 - 905 - 7113

Date: SEPTEMBER 2, 2004

To: EXAMINER DOUGLAS C. BUTLER
U.S. PATENT AND TRADEMARK OFFICE

Fax #: (703) 872-9326

From: FRANK C. NICHOLAS
Phone #: (847) 424-2521

Client/Matter No.: DP-309512 (7500/248)

of Pages: 14

(including cover sheet)

IF YOU HAVE ANY PROBLEMS RECEIVING THIS MESSAGE, PLEASE CALL 847-905-7111, Ext. 112 AND ASK FOR JENNIFER CRUZ.

THIS MESSAGE IS INTENDED ONLY FOR THE INDIVIDUAL OR ENTITY TO WHICH IT IS ADDRESSED. IT MAY CONTAIN PRIVILEGED, CONFIDENTIAL, ATTORNEY WORK PRODUCT, OR TRADE SECRET INFORMATION WHICH IS EXEMPT FROM DISCLOSURE UNDER APPLICABLE LAWS. IF YOU ARE NOT THE INTENDED RECIPIENT, OR AN EMPLOYEE OR AGENT RESPONSIBLE FOR DELIVERING THE MESSAGE TO THE INTENDED RECIPIENT, YOU ARE HEREBY NOTIFIED THAT ANY DISSEMINATION, DISTRIBUTION, OR COPYING OF THIS MESSAGE IS STRICTLY PROHIBITED. IF YOU HAVE RECEIVED THIS MESSAGE IN ERROR, PLEASE NOTIFY US IMMEDIATELY BY TELEPHONE AND RETURN THE ORIGINAL MESSAGE (AND ALL COPIES) TO US BY MAIL AT THE ABOVE ADDRESS. WE WILL REIMBURSE YOU FOR POSTAGE.

CARDINAL LAW GROUP®

Frank C. Nicholas
847.424-2521
fcn@cardinallawgroup.com

Suite 2000
1603 Orrington Avenue
Evanston, IL 60201

Telephone 847.905.7111
Facsimile 847.905.7113

September 2, 2004

Ms. Suzanne Britt
DELPHI TECHNOLOGIES, INC.
P. O. Box 5052
Mail Code: 480-410-202
Troy, Michigan 48007

Re: Delphi Dkt. No.: DP-309512
Title: **"CONTROL OF BRAKE-AND-STEER-BY-
WIRE SYSTEMS DURING BRAKE FAILURE"**
Inventor(s): Aleksander B. Hac
Our Case No.: 7500/248

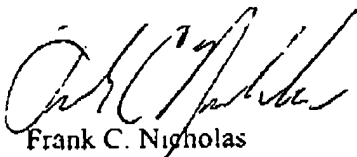
Dear Suzanne:

Enclosed are copies of the following documents for the above-referenced application that was filed *via facsimile* with the U. S. Patent and Trademark Office on September 2, 2004:

- 1) Transmittal Letter;
- 2) Response to Office Action Dated June 23, 2004; and
- 3) Replacement Abstract

Please call if you have any questions.

Sincerely,



Frank C. Nicholas

FCN/yf
Enclosures

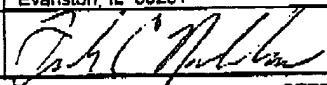
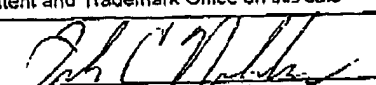
PTO/USPTO 11-2-04, modified to use through 1/2010. One only. Please see Trademark Office U.S. DEPARTMENT OF COMMERCE
Under the Paper Reduction Act of 1996, this form is subject to change without notice. Please refer to the USPTO website for the latest version.

TRANSMITTAL FORM <small>(to be used for all correspondence other than filing)</small>	Attorney Docket No.	DP-309512 (7500/248)
	Application Number	10/664,759
	Filing Date	SEPTEMBER 17, 2003
	First Named Inventor	ALEKSANDER B. HAC
	Group Art Unit	3683
	Examiner	DOUGLAS C BUTLER

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Response to Office Action Dated June 23, 2004 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavits/declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Extension of Time Request (dupliC) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449, an <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Corrected Application Papers	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawings 9 Replacement Sheets <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Change of Correspondence <input type="checkbox"/> Declaration <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Enter Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Replacement Abstract <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-1713</u> . A duplicate copy of this sheet is enclosed.		
<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. <u>50-1713</u> . A duplicate copy of this sheet is enclosed.		

CALCULATION OF FEE

				Small Entity		or	Large Entity	
	Claims After Amendment	Highest No. Previously Paid For	Present Extra	Rate	Add'l Fee		Rate	Add'l Fee
Total		Minus		x \$9=	0		x \$18=	
Indep		Minus		x \$43=	0		x \$86=	
First Presentation of Multiple Dep. Claim				+ \$145=	—		+ \$290=	
				total add'l fee			total add'l fee	
				\$ 0			\$ 0	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT		
Firm or individual name	FRANK C NICHOLAS Registration No. 33,983 Cardinal Law Group 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201	
Signature		Date <u>SEPTEMBER 2, 2004</u>
CERTIFICATE OF FACSIMILE		
I hereby certify that this correspondence is being transmitted via facsimile to (703) 872 - 9326 to the United States Patent and Trademark Office on this date		<u>SEPTEMBER 2, 2004</u>
Signature	 FRANK C NICHOLAS (33,983)	Date <u>SEPTEMBER 2, 2004</u>

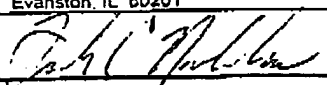
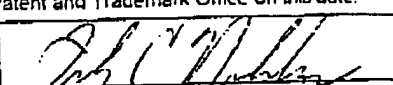
PTO/GPO: (12 BT) Approved for Use by the Patent and Trademark Office, U.S. Department of Commerce
 United States Patent and Trademark Office, 1800 Jefferson Avenue, Alexandria, VA 22304-4201

TRANSMITTAL FORM <small>(to be used for all correspondence after final filing)</small>	Attorney Docket No	DP-309512 (7500/248)
	Application Number	10/664,759
	Filing Date	SEPTEMBER 17, 2003
	First Named Inventor	ALEKSANDER B. HAC
	Group An Unit	3683
	Examiner	DOUGLAS C BUTLER

ENCLOSURES (check all that apply)		
<input checked="" type="checkbox"/> Response to Office Action Dated June 23, 2004 <input type="checkbox"/> After Final <input type="checkbox"/> Affidavit/declaration(s) <input type="checkbox"/> Status Letter <input type="checkbox"/> Extension of Time Request (dupli) <input type="checkbox"/> Express Abandonment Request <input type="checkbox"/> Information Disclosure Statement, PTO-1449, an <input type="checkbox"/> Certified Copy of Priority Document(s) <input type="checkbox"/> Response to Notice to File Corrected Application Papers	<input type="checkbox"/> Assignment Papers (for an Application) <input type="checkbox"/> Drawings 9 Replacement Sheets <input type="checkbox"/> After Allowance Communication to Group <input type="checkbox"/> Petition Routing Slip (PTO/SB/69) and Accompanying Petition <input type="checkbox"/> Change of Correspondence <input type="checkbox"/> Declaration <input type="checkbox"/> Terminal Disclaimer <input type="checkbox"/> Small Entity Statement <input type="checkbox"/> Request of Refund	<input type="checkbox"/> Appeal Communication to Board of Appeals and Interferences <input type="checkbox"/> Appeal Communication to Group (Appeal Notice, Brief Reply Brief) <input type="checkbox"/> Proprietary Information <input type="checkbox"/> Post Card Receipt <input checked="" type="checkbox"/> Additional Enclosure(s) (please identify below) <input checked="" type="checkbox"/> Replacement Abstract <input type="checkbox"/> <input type="checkbox"/>
<input checked="" type="checkbox"/> The Commissioner is hereby authorized to charge any fees which may be required, or credit any overpayment, to Deposit Account No. <u>50-1713</u> . A duplicate copy of this sheet is enclosed.		
<input checked="" type="checkbox"/> I hereby petition under 37 CFR § 1.136(a) for any extension of time required to ensure that this paper is timely filed. Please charge any associated fees which have not otherwise been paid to Deposit Account No. <u>50-1713</u> . A duplicate copy of this sheet is enclosed.		

CALCULATION OF FEE

				Small Entity		Large Entity	
	Claims After Amendment	Highest No Previously Paid For	Present Extra	Rate	Add'l Fee	Rate	Add'l Fee
Total		Minus		x \$9=	0	x \$18=	
Indep		Minus		x \$43=	0	x \$86=	
First Presentation of Multiple Dep. Claim				+ \$145=		+ \$290=	
				total add'l fee		total add'l fee	
				\$ 0		\$ 0	

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT			
Firm or individual name	FRANK C NICHOLAS Registration No. 33,983 Cardinal Law Group 1603 Orrington Avenue, Suite 2000 Evanston, IL 60201		
Signature		Date	SEPTEMBER 2, 2004
CERTIFICATE OF FACSIMILE			
I hereby certify that this correspondence is being transmitted via facsimile to (703) 872 - 9326 to the United States Patent and Trademark Office on this date:			SEPTEMBER 2, 2004
Signature	 FRANK C. NICHOLAS (33,983)	Date	SEPTEMBER 2, 2004

**RECEIVED
CENTRAL FAX CENTER****SEP 02 2004****CERTIFICATE OF FACSIMILE**

I hereby certify that this correspondence is being transmitted
Via facsimile to (703) 872-9326 to the United States
Patent and Trademark Office on September 2, 2004
(Date of Deposit)

FRANK C NICHOLAS (33,984)

Name of applicant, assignee or registered representative


SignatureSeptember 2, 2004

Date of Signature

PATENT**Case No. DP-309512
(7500/248)****IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

In re patent application of:

ALEKSANDER B. HAC

Examiner: BUTLER, D. C.

Serial No.: 10/664,759

Group Art Unit: 3683

Filed: SEPTEMBER 17, 2003

Title: CONTROL OF BRAKE-AND-
STEER-BY-WIRE SYSTEMS DURING
BRAKE FAILURE**RESPONSE TO OFFICE ACTION DATED JUNE 23, 2004**

Commissioner for Patents
P.O. Box 1450
Alexandria, VA 22202-1450

Dear Sir:

This is a response to a non-Final Office Action dated June 23, 2004.

September 2, 2004
Docket No.: DP-309512 (7500/248)
Serial No.: 10/664,759
Filed: September 17, 2003
Page 7 of 11

SPECIFICATION AMENDMENTS:

A replacement abstract is attached hereto. The abstract has been amended so that the abstract consists of 150 words or less, in accordance with 37 C.F.R. §1.72. No new matter has been added with the amendment to the abstract.